

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

On the Commissioner's Own Motion for a Determination of the Adequacy of Warning Devices at the Grade Crossing of the Wisconsin Central Ltd. Tracks with 215th Street in the Town of Cylon, St. Croix County

9164-RX-472

INTERIM ORDER

On November 26, 2001, the Commissioner of Railroads directed the staff of the Office of the Commissioner of Railroads (OCR) to investigate the adequacy of warning devices under §195.28, Stats., at the grade crossing of the Wisconsin Central Ltd. (WCL) tracks with 215th Street in the Town of Cylon, St. Croix County (Crossing No. 693 032T).

An OCR investigator inspected the crossings in July 2004. No hearing was held.

Findings of Fact

THE COMMISSIONER FINDS:

215th Street is 24' wide in the vicinity of the crossing and intersects the railroad tracks at an angle of 90°. 215th Street carried an estimated average daily traffic (ADT) of 25 according to 2000 DOT records at a legal speed limit of 55 mph (unposted). The OCR has requested that the Wisconsin Department of Transportation perform a traffic count on this roadway to obtain more accurate information. The OCR is issuing this Interim Order pending completion of the traffic count. A final order will be issued after receipt of the traffic count.

The WCL operates 6 through train movements per day over the crossing at a timetable speed of 40 mph. The crossing consists of one mainline track.

A motorist traveling at 55 mph requires a safe stopping distance of 527'. The crossing is visible from more than 527' in each direction. Assuming a train speed of 40 mph, a motorist traveling at 55 mph needs to see a train when it is 420' from the crossing from a point 527' down the highway. The sight distance available in each quadrant from the safe stopping distance is inadequate due to trees and brush.

At all crossings, except those with gates, a driver stopped 15' short of the near rail must be able to see far enough down the track, in both directions, to determine if sufficient time exists for moving their vehicle safely across the tracks to a point 15' past the far rail, prior to the arrival of a train. Required clearing sight distance along both directions of the track, from the stopped position of the vehicle, is dependent upon the maximum train speed and the acceleration characteristics of the "design" vehicle. The necessary clearing sight distance at the 215th Street crossing is 895'. The available clearing sight distance is more than 895'.

Three train-vehicle accidents have occurred at this crossing since 1973. The accidents occurred in 1999 and 2001 (2) with two fatalities and one injury.

Accidents that do occur here will likely be quite serious if a through train is involved due to their 40 mph speed. Train speed is strongly correlated with fatalities in train/vehicle accidents. More specifically, crossings with train speeds of 40 mph and over have a disproportionate number of fatalities. According to Federal Railroad Administration (FRA) statistics, nationally, in 1994 71% of fatalities occurred at crossings with train speeds of 40 mph+, even though only 26% of all crossings had train speeds of 40 mph+.

The crossing presently has reflective crossbucks and advance warning signs for warning devices. The existing warning devices are inadequate. The existing warning devices will be adequate until such time as the new warning devices are installed. In order to adequately protect public safety stop signs and stop ahead signs are required due to the inadequate sight distance.

Conclusion on the Issue

THE COMMISSIONER CONCLUDES:

That in order to adequately protect and promote public safety at the crossing of the tracks of the Wisconsin Central Ltd. with 215th Street in the Town of Cylon, St. Croix County, it is necessary to install and maintain stop signs at the crossing.

Conclusion of Law

THE COMMISSIONER CONCLUDES:

That the jurisdiction of the Office of the Commissioner of Railroads under §195.28, Stats., extends to this matter. Accordingly, the Office enters an order consistent with the findings of fact.

Order

THE COMMISSIONER ORDERS:

1. That the **Town of Cylon** shall install and maintain stop signs on separate posts (not on the crossbucks) on each approach to the crossing of the Wisconsin Central Ltd. tracks with 215th Street at-grade in the Town of Cylon, St. Croix County by **October 31, 2004** (Crossing No. 693 032T).

2. That the **Town of Cylon** shall install and maintain "stop ahead" signs at a distance of 450' from the 215th Street crossing on each approach by **October 31, 2004**.

3. That if the petitioner, railroad or any interested party objects to this order and requests a hearing within 20 days of the date of this order in writing, the Office will hold a public hearing.

4. That jurisdiction is retained.

Dated at Madison, Wisconsin, _____.

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads

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